

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

KYSA JOHNSON,

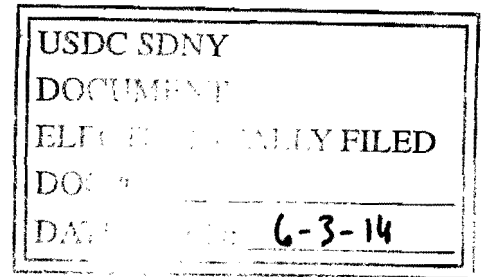
Plaintiff,

v.

EMPIRE STATE REALTY TRUST, INC.,

Defendant.

Case No. 14 CV 0487 (PAC)



STIPULATION AND ~~PROPOSED~~ ORDER OF DISMISSAL WITH PREJUDICE *me*

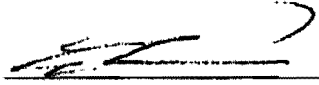
WHEREAS, the parties to this action entered into a Confidential Settlement and Release Agreement (the "Settlement Agreement") dated May 27, 2014;

IT IS NOW HEREBY STIPULATED AND AGREED, by and between the undersigned counsel, and subject to the approval of the Court, as follows:

1. This action is dismissed pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, with prejudice and without costs to any party;
2. This Court shall retain jurisdiction over the parties to this stipulation for purposes of enforcing the Settlement Agreement and for purposes of deciding any claim of breach of the Settlement Agreement;
3. This Stipulation may be signed in counterparts, all of which together shall constitute a single document, and facsimile or pdf signatures shall be deemed originals.

Dated: New York, New York
May 29, 2014


DEWEY PEGNO & KRAMARSKY LLP

By: 

David S. Pegno
Stephen M. Kramarsky
777 Third Avenue, 37th Floor
New York, New York 10017
Tel: (212) 943-9000

*Attorneys for Defendant Empire State
Realty Trust, Inc.*

BOURNE & ZAKHEIM LLP

By: 

Andrew N. Bourne
Jonathan A. Zakheim
733 Third Avenue, 15th Floor
New York, New York 10017
Tel: (646) 790-5850

Attorneys for Plaintiff Kysa Johnson

SO ORDERED this 31 day of May, 2014.



Hon. Paul A. Crotty
United States District Judge